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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

*Matter of Jawsfood Co. Litigation*

Ref. No. 2018-F-2023

REQUEST FROM SOUTH KOREAN COURT  
FOR INFORMATION FROM GOOGLE, INC.

MISC. NO. 18-MC-80198 SK

**[PROPOSED] ORDER GRANTING  
APPLICATION FOR ORDER PURSUANT TO  
TITLE 28 U.S.C. § 1782**

Pending before the Court is an application submitted by the United States Attorney pursuant to 28 U.S.C. Section 1782 concerning a request by a South Korean Court for information from Google, Inc. ("Google"). At this time, the United States Attorney requests that the Court appoint Julie Bibb Davis, Assistant United States Attorney, as Commissioner, and authorize AUSA Davis to serve Google with a subpoena in accordance with the terms and conditions set forth below. The Court has reviewed the application and supporting papers and documents, which show that Google does not oppose entry of this proposed Order, but reserves its rights and objections to the underlying subpoena.

Pursuant to the power conferred on it under 28 U.S.C. § 1782, its inherent authority, and pursuant to the agreement of the United States and Google, the Court hereby ORDERS that AUSA

ORDER GRANTING APPLICATION FOR APPOINTMENT

RECEIVED  
2018 NOV 29 PM 12:28  
CLERK'S OFFICE, U.S. DISTRICT COURT  
NO. DIST. OF CALIFORNIA  
*[Signature]*

1 Davis is appointed as Commissioner, and is authorized to serve Google with a subpoena in accordance  
2 with the following terms and conditions:

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4       1. Upon receipt of the subpoena, Google shall promptly make a diligent search for  
5 reasonably available information identifying the name, address, and contact information registered by  
6 the user(s) of the YouTube channel who posted Video ID AJgzTNjZeMo on or around July 4, 2017.

7       2. Within 7 calendar days from receipt of the subpoena, Google shall provide a copy of the  
8 subpoena to the relevant hosts, providers, and users, and advise them that Google will respond to the  
9 subpoena unless they file, within 14 calendar days from the date they receive the subpoena, an objection  
10 or a motion to quash in this action, served on both Google and AUSA Davis.

11       3. Prior to production of the information described in paragraph 4, Google will provide  
12 AUSA Davis with a redacted version of the responsive declaration or other document(s), with all  
13 individual user information redacted. The parties will meet and confer as necessary regarding Google's  
14 redacted response if the United States questions whether Google's response is sufficient to satisfy the  
15 subpoena. Receipt of a redacted version of the responsive information by AUSA Davis shall not be  
16 deemed an admission that Google's response is sufficient to satisfy the subpoena.

17       4. Subject to the limitation described in paragraph 2 of this Order, within 30 calendar days from  
18 Receipt of the subpoena, Google shall produce the requested information to the extent it is reasonably  
19 available, along with a notarized verification signed under penalty of perjury, directly to the South  
20 Korean Court at the following physical address

21                   National Court Administration  
22                   Republic of Korea  
23                   Attn: Director of International Affairs  
24                   219 Seocho-Daero, Seocho-Gu  
25                   Seoul, Korea, 06590

26       5. Within 7 calendar days from producing its response to the South Korean Court, Google shall  
27 provide AUSA Davis with a notarized verification signed under penalty of perjury indicating the date on  
28 which Google produced its response in compliance with this Order.

29       6. This Order does not preclude the United States from filing an amended petition for a further

1 order authorizing an amended subpoena requesting additional information from Google in the event the  
2 South Korean Court requests additional information from Google after reviewing Google's response to  
3 the subpoena authorized by this Order.

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5 IT IS SO ORDERED.

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7 DATED: Dec. 7, 2018

  
UNITED STATES MAGISTRATE JUDGE

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